

### Remarks

Claims 1-2, 13-14, 18, 23, 25-28 and 30-32 are pending in the application. Claims 3-12, 15-17, 19-22, 24 and 29 have been canceled without prejudice or disclaimer.

Claim 1 relates to a method for forwarding an incoming call addressed to one of a plurality of Directory Numbers belonging to a subscriber, including receiving an incoming call at one of a number corresponding to a fixed-site device or a number corresponding to a mobility device belonging to the subscriber, wherein a call to the number corresponding to the fixed-site device is received via a switch of the Public Switched Telephone Network (PSTN) that communicates with a Mobile Service Center (MSC) coupled to a mobility network, and a call to the number corresponding to the mobility device is received via the MSC, the MSC being further coupled to a Home Location Register (HLR) having a database including a plurality of values for subscriber call forward settings to determine an action to be taken in the event of a busy/no answer condition for either the fixed-site device or the mobility device.

The method further comprises determining that a busy/no answer condition exists for the device corresponding to the number at which the incoming call is received, consulting the call forward settings of the HLR, and based on the call forward settings, performing one of routing the incoming call to the fixed-site device, to the mobility device, or to voice mail.

Claim 1 was rejected as reading on existing well-known features. More specifically, claim 1 was rejected as reading on a subscriber having two separate services. However, the Applicant respectfully submits that features as recited in claim 1 are not well known and do not read on a subscriber having two separate services. For example, two separate services would not use a common database including a plurality of values for subscriber call forward settings to determine an action to be taken in the event of a busy/no answer condition for either a fixed-site device or a mobility device, as required by claim 1. Therefore, withdrawal of the rejection of claim 1 as reading on existing well-known features is respectfully requested.

Claims 1, 4, 13, 16 and 18 were rejected under 35 USC 102(b) as being anticipated by Hartmaier et al. (U.S. Patent No. 5,978,672; hereinafter, Hartmaier '672). Of these claims, claims 1, 13 and 18 remain pending.

Hartmaier '672 does not anticipate claims 1, 13 and 18 for at least the reason that Hartmaier '672 does not disclose a switch of the PSTN coupled to an MSC as required by each of claims 1, 13 and 18. Further, there is no teaching in Hartmaier '672 of an HLR having a database including a plurality of values for subscriber call forward settings to determine an action to be taken in the event of a busy/no answer condition for either the fixed-site device or the mobility device, as further required by claims 1, 13 and 18. Therefore, Hartmaier '672 cannot support the asserted rejection. Accordingly, withdrawal of the rejection of claims 1, 13 and 18 as anticipated by Hartmaier '672 is respectfully requested.

Claims 2, 3, 10-12 and 14 were rejected under 35 USC 103(a) as being unpatentable over Hartmaier et al. (US 6,301,474; hereinafter, Hartmaier '474) in view of Harlow et al. (US 5,206,901; hereinafter, Harlow). Of these claims, claims 2 and 14 remain pending.

Claims 2 and 14 include the features of claims 1 and 13, respectively. Therefore, neither Hartmaier '474 nor Harlow supports the asserted rejection for at least the reason that neither teaches or suggests a switch of the PSTN coupled to an MSC as required by each of claims 1 and 13; nor does either teach or suggest an HLR having a database including a plurality of values for subscriber call forward settings to determine an action to be taken in the event of a busy/no answer condition for either the fixed-site device or the mobility device, as further required by claims 1 and 13. Accordingly, withdrawal of the rejection of claims 2 and 14 as unpatentable over Hartmaier '474 in view of Harlow is respectfully requested.

Claims 23, 25-28 and 30-32 were rejected under 35 USC 103(a) as being unpatentable over Creamer et al. (U.S. Patent 6,028,917) in view of Hartmaier '474.

Independent claims 23 and 28 relate to updating a call forward setting via the Internet, by operations including receiving a request to update the call forward setting from a subscriber, where the request is generated using a browser-capable subscriber device connectable to the Internet. The request may be processed

to update the call forward setting according to the request by updating a corresponding subscriber profile in a HLR. Claims 25 and 30, dependent on claims 23 and 28, respectively, recite determining that the update request requires updating call forwarding information on a switch of the PSTN, and updating the call forward information on the switch,

Like independent claims 23 and 28, independent system claim 31 includes recitations directed to updating a subscriber profile in a HLR. Claim 32, dependent on claim 31, further requires a switch interface device coupled to the HLR, and a switch coupled to the interface device, the switch being adapted to receive commands from the interface device for updating call forwarding information responsive to an update call forwarding request corresponding to the subscriber request received by the interface device from the HLR.

It is noted that the CAFC has held that "[t]he mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification." In re Fritch, 972 F.2d 1260, 1266 (Fed. Cir. 1992). Here, nothing in Creamer et al. suggests an HLR as recited in claims 23 and 28, instead of or in addition to the arrangement in Creamer et al., since Creamer et al. is not concerned with mobile networks.

Further, with regard to combining prior art teachings to contend that the combination renders a claimed invention obvious, the CAFC has held that "[t]here must be some reason, suggestion or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge cannot come from the applicant's invention itself." In re Oetiker, 977 F.2d 1443, 1447, 24 USPQ2d 1443, 1446 (Fed. Cir. 1991). Here, the Office Action attempts to meet the limitation of claims 23, 25-28 and 30-32 by the combination of Creamer et al. and Hartmaier '474. However, the effort is clearly strained. Creamer et al. has nothing to do with mobility systems; instead, Creamer et al. is concerned with updating service options of the PSTN via computer. Accordingly, nothing in Creamer et al. provides any suggestion or motivation for a subscriber profile in an HLR of a mobility system as required by the rejected claims. Rather, the only

suggestion to be found is in the Applicant's own disclosure, a source that is off-limits for purposes of applying an obviousness rejection, as held in In re Oetiker.

Accordingly, resorting to Hartmaier '474 to provide the HLR absent from Creamer et al. runs afoul of settled authority.

Moreover, even the combination of Creamer et al. with Hartmaier '474 cannot yield the claimed invention. Nothing in Hartmaier '474 suggests updating call forward settings in an HLR. According to Hartmaier '474, call routing is performed by configuring a PBX, not by updating a call forward setting in an HLR as required by the present claims. See Hartmaier '474, e.g., at col. 12, lines 40-44.

Further, nothing in Creamer et al. or Hartmaier '474 even remotely suggests the further limitations of determining that an update request to an HLR requires updating call forwarding information on a switch of the PSTN, and updating the call forward information on the switch, as required by claims 25 and 30. Nor do Creamer et al. or Hartmaier '474 even remotely suggest the analogous recitations in claim 32 of a switch interface device coupled to the HLR, and a switch coupled to the interface device, the switch being adapted to receive commands from the interface device for updating call forwarding information responsive to an update call forwarding request corresponding to the subscriber request received by the interface device from the HLR.


Accordingly, withdrawal of the rejection of claims 23, 25-28, and 30-32 as unpatentable over Creamer et al. in view of Hartmaier '474 is respectfully requested.

In light of the foregoing discussion, the Applicant respectfully submits that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

The Examiner is invited to contact the undersigned at (202) 220-4323 to discuss any matter concerning this application. The Office is authorized to charge any fees under 37 C.F.R. 1.16 or 1.17 related to this communication to Deposit Account No. 11-0600.

Respectfully submitted,

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